

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF OREGON**  
**EUGENE DIVISION**

**JILL BONG,**

Plaintiff,

No. 6:23-cv-00417-MK

v.

**ORDER**

**KATE BROWN, et al.**

Defendants.

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AIKEN, District Judge.

This case comes before the Court on Plaintiff's Objections, ECF No. 101, to Magistrate Judge Mustafa Kasubhai's Order, ECF No. 99, granting Defendant Oregon School Board Association's Motion to Stay Discovery and Pretrial deadlines until after resolution of the pending dispositive motions, ECF No. 94.

In accordance with Federal Rule of Civil Procedure 72(a), "[w]hen a pretrial matter not dispositive of a party's claim or defense is referred to a magistrate judge to hear and decide, the magistrate judgment must promptly conduct the required proceedings and, when appropriate, issue a written order stating the decision." Fed. R. Civ. P. 72(a). The standard for review for a non-dispositive order with objections is "clearly erroneous" or "contrary to law." *Id.*; 28 U.S.C. § 636(b)(1)(A) (applying the "clearly erroneous or contrary to law" standard of review for non-dispositive motions). If a ruling on a motion is not determinative of a party's claim or defense, it is not

dispositive and, therefore, is not subject to *de novo* review as are proposed findings and recommendations for dispositive motions under 28 U.S.C. § 636(b)(1)(B).

The Court has considered Plaintiff's objections and concludes that they do not provide a basis to modify Judge Kasubhai's Order. Plaintiff's request for the modification of the stay is DENIED.

It is so ORDERED and DATED this 5th day of September 2023.

/s/Ann Aiken

ANN AIKEN

United States District Judge